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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,900	12/14/2001	GopalaKrishna Reddy Kakivaya	MSFT-0735/183222.1	9589

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EXAMINER
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REFAI, RAMSEY

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/016,900	Applicant(s) KAKIVAYA ET AL.	
	Examiner Ramsey Refai	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☒ Claim(s) 3, 24 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/11/02, 02/26/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Responsive to Preliminary Amendment received on March 22, 2002. Claims 19-36 have been renumbered as claims 18-35 respectively. Claims 1-35 are now pending examination.

#### *Specification*

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 1 includes the limitation "tearing down the event subscription" which is not described in the specification.

#### *Claim Objections*

2. Claim 3 is objected to because of the following informalities:

The term "timestamp" should be rewritten as *-time stamp-*.

Claim 32 is objected to because of the following informalities: "a" in line 3 should be deleted and replaced with *-an-*.

Claim 24 recites the term "capable of" in line 3. "Claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure." (MPEP 2111.04) The use of the term "capable of" makes optional the features that follow and therefore do not limit the scope of the claim.

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 101*

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 23 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a computer-readable *medium* bearing computer

readable instructions. The specification's definition for medium includes signals. According to the October 26, 2005 Interim Guidelines for Examining Patent Applications, signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of § 101. Therefore signal claims are non-statutory and are rejected under § 101.

([http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101\\_20051026.pdf](http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf))

*Claim Rejections - 35 USC § 112*

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claims 1-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following terms lack proper antecedent basis:

In claim 1: "the event subscription"

In claim 2: "events", "the sequence numbers", "the event messages"

In claim 3: "second events", "the event messages", "the events", "the first event messages", "the second event"

In claim 4: "the event messages"

In claim 5: "the event messages"

In claim 6: "the event messages"

In claim 7: "the event source", "the events"

In claim 8: "the event source", "event sink"

In claim 9: "the event source"

In claim 10: "the initial subscription"

In claim 11: "the event filter", "the initial subscription"

In claim 12: "the Type Description Language"

In claim 13: “the first event source”

In claim 14: “the subscription”

In claim 15: “the event callback”

In claim 16: “the subscriptions”

In claim 17: “the type description”

In claim 18: “the first event source”

In claim 19: “the expiration”, “the transmission of event messages”

In claim 24: “events”

In claim 25: “the first digital”, “event notification messages”

In claim 26: “the messages”

In claim 27: “the type description language”

In claim 29: “the event messages”

In claim 30: “the first and second digital device”

In claim 31: “the Intranet”

Appropriate correction is required.

Claim 6 recites the terms “initial” and “delta” which are in brackets. It is not clear what these terms mean and whether these terms are part of what is being claimed. Clarification is respectively requested.

Claims 7 and 9 recite the limitation “it” which is vague and indefinite. The use of this term has therefore rendered the claim indefinite.

Claim 32 recites the term “using to services” which is incomprehensible. The use of this term renders the claim indefinite.

Claims 20-23 and 33-35 depend on the above rejected claims, therefore are rejected under the same rationale.

*Claim Rejections - 35 USC § 102*

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-4, 6-16, 18-26, 28-32, and 34-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho et al (U.S. Patent No. 5,974,417).

9. As per claims 1 and 23, Bracho et al teach a method for receiving event notification in a network, comprising:

subscribing to a first event source (**column 4, lines 50-52, abstract**);

receiving zero or more event messages (**column 2, lines 17-20, abstract**); and

tearing down the event subscription (**column 7, line 15**).

10. As per claim 2, Bracho et al teach:

receiving at least two event messages each comprising a sequence number and a time stamp from the first event source when events occur (**Figure 9, abstract**); and

determining the order of events within the first event source on the basis of the sequence numbers within the event messages (**Figure 9, column 14, lines 6-18, abstract**).

11. As per claim 3, Bracho et al teach subscribing to a second event source;

receiving at least two event messages each comprising a sequence number and a time stamp from the second event source when second events occur (**Figure 9, column 14, lines 6-18, column 10, lines 1-19**);

determining the order of events within the second event source on the basis of the sequence number within the event messages from the second event source (**Figure 9, column 14, lines 6-18, column 10, lines 1-19**); and

ordering the events from the second event source with respect to the first event source on the basis of the timestamp within each of the first event messages and the second event messages (**column 7, lines 55-67, column 6, lines 55-67, column 10, lines 1-19**).

12. As per claim 4, Bracho et al teach wherein the event messages are described with a Type Description Language (**column 4, lines 45-47**).

13. As per claim 6, Bracho et al teach wherein the event messages can convey both absolute (initial) and relative (delta) values (**column 11, line 40-60**).

14. As per claim 7, Bracho et al teach wherein the event source defines the events it raises as a name-type pair (**column 4, lines 50-63, column 6, lines 55-67**).

15. As per claim 8, Bracho et al teach wherein the event source and event sink are identified using standard types IEventSource and IeventSink, respectively (**column 12, lines 4-42**).

16. As per claim 9, Bracho et al teach wherein the event source supports filtering of events it raises (**column 8, lines 17-30**).

17. As per claim 10, Bracho et al teach wherein a subscriber can establish an event filter as part of the initial subscription (**column 8, lines 17-30**).

18. As per claim 11, Bracho et al wherein a subscriber can update the event filter established as part of the initial subscription (**column 8, lines 17-30, column 11, line 1-5**).

19. As per claim 12, Bracho et al teach wherein the Type Description Language comprises a markup language (**column 4, lines 45-47**).

20. As per claim 13, Bracho et al teach wherein the first event source messages are one-way messages (**column 14, line 63- column 15, line 17**).

21. As per claim 14, Bracho et al teach wherein the subscription is made to the first event source by way of an intermediary (column 14, line 63- column 15, line 17).
22. As per claim 15, Bracho et al teach wherein the event callback goes through an intermediary (column 8, line 30-50).
23. As per claim 16, Bracho et al teach wherein the subscriptions are defined in a type description language (column 4, lines 45-47).
24. As per claim 18, Bracho et al wherein the first event source is an object on a digital device (column 4, lines 1-39).
25. As per claim 19, Bracho et al teach comprising setting a lease term after the expiration of which the first event source discontinues the transmission of event messages (column 7, line 15, column 23).
26. As per claim 20, Bracho et al teach comprising sending a renewal message to renew the lease term (column 7, line 1-15).
27. As per claim 21, Bracho et al teach wherein the network is an intranet (Figure 1, column 4, line 40-50).
28. As per claim 22, Bracho et al teach wherein the network is the Internet (Figure 1, column 4, line 40-50).
29. As per claims 23-26, 28-32, and 34-35, these claims are similar to claims 1, 2, 4, 13, 14, and 19-21 above, therefore are rejected under the same rationale.

*Claim Rejections - 35 USC § 103*

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



31. Claims 5, 17, 27, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bracho et al (U.S. Patent No. 5,974,417)

32. As per claim 5, Bracho et al fail to teach wherein the event messages are delivered as SOAP messages.

However, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the use of SOAP messages in Bracho et al because doing so would create a broader and simpler network by allowing programs of different operating systems and protocols to transfer event messages with one another.

33. As per claims 17, 27, and 33, Bracho et al fail to teach the use of extensible markup language.

However, it would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to include extensible Markup Language because lets Web developers and designers create tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system.

#### *Conclusion*

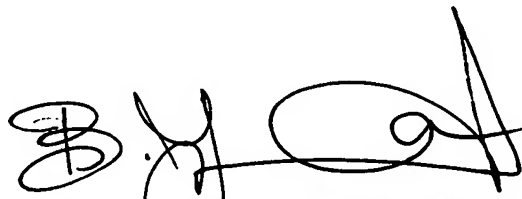
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited in the Notice of Reference Cited form (PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai  
Examiner  
Art Unit 2152



**BUNJOB JAROENCHONWANIT**  
**SUPERVISORY PATENT EXAMINER**